

Notice of Allowability

Application No.

09/882,739

Examiner

Thomas Duong

Applicant(s)

CRAMER ET AL.

Art Unit

2145

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to August 3, 2005.
2. ☒ The allowed claim(s) is/are 1-4.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


PATRICE WINDER
PRIMARY EXAMINER

DETAILED ACTION

Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Benjamin M. Halpern (Reg. No. 46,494) on September 1, 2005.
3. The application has been amended as follows:
 - Please amend *claim 3* as follows:

A method for providing remote telemetry for an industrial environment having a plurality of production devices with digital control units employing one or more of a diverse plurality of communication protocols to provide discreet data streams comprising the steps of:

translating the output of said digital control units into a plurality of discrete data streams having a common communication protocol;

reversibly encoding said plurality of discrete data streams into a single data stream using said common communication protocol;

transmitting said data stream over an open network to a remote network in real time;

decoding said single data stream into said discrete data streams at said remote network, wherein each said discrete data stream is in a format particular to an individual production device;

identifying by analysis of said data at the remote network at least one target production device of said plurality of production devices to receive instructions for remote engineering; and

formulating a plurality of instructions responsive to said analysis and arranged as a discrete remote engineering instruction set corresponding to each of said at least one target production device, each of said discrete remote engineering instruction sets comprising configurational and operational data relating to a corresponding one of said at least one target production device.

Response to Arguments

4. The Applicants' arguments and amendments filed on August 3, 2005 have been fully considered and are persuasive.

Allowable Subject Matter

5. *Claims 1-4* are allowed. The claims indicated include limitations that the prior arts of record do not appear to teach or render obvious, hence they are allowed.
6. The following is an examiner's statement of reasons for allowance:

As presented in the previous office action, Hunt reference (US006539422) discloses a *communication environment that allows the ADC device platforms (i.e. production units), which may operate under different protocols from each others as well as the remote*

computing system, to communicate with the remote computing system (i.e. remote network) by translating and encoding the communication protocols of the ADC device platforms to the standardized SNMP protocol used by the remote computing system.

However, the prior arts of record fail to teach or suggest individually or in combination as stated in the independent claims for *"decoding said first single data stream at the remote network into said discrete data streams, wherein each said discrete data stream is in a format particular to an individual production device", "formulating a plurality of instructions responsive to said analysis and arranged as a discrete remote engineering instruction set corresponding to each of said at least one target production device, each of said discrete remote engineering instruction sets comprising configurational and operational data relating to a corresponding one of said at least one target production device",* and in combination with other limitations as set forth in the independent claims. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas Duong whose telephone number is 571/272-3911. The examiner can normally be reached on M-F 7:30AM - 4:00PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal D. Dharia can be reached on 571/272-3880. The fax phone numbers for the organization where

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this application or proceeding is assigned are 571/273-8300 for regular communications
and 571/273-8300 for After Final communications.

Thomas Duong (AU2145)

September 1, 2005


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